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| 09/921,460      | 08/03/2001  | Jack Hong            | 4366-50             | 7012             |

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EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2144

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/921,460

Applicant(s)

HONG ET AL.

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 36-44 is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 8, 9, 11, 12, 25, 26, 28 and 32-34 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 7, 10, 13-24, 27, 29-31 and 35 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>110601</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The Information Disclosure statement filed 10/21/04 is not considered because it does not include a 1449-form with the cited references to be considered.

### ***Specification***

The disclosure is objected to because of the following informalities: on page 2 of the specification, line 10, after the phrase "balanced across the", the word "serves" should be - - server- -. Appropriate correction is required.

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 6, 9, 11-12, 25-26, 28, 32-34, are rejected under 35 U.S.C. 102(e) as being anticipated by Gidwani. (U.S. Patent No. 6,640,239).

As to claim 1, Gidwani discloses a network switch (140) as shown in Fig. 1 for switching transaction requests among a plurality of servers (See figs.1, 9), the network switch being positioned between the plurality of servers and at least one client (See abstract), comprising

a parser (the switch 140 parses for distributing traffic of different types ; see col. 21, lines 48-52) operable to parse transaction requests to locate one or more selected fields;

a router (150 as shown in Fig.1) operable to forward at least portions of the transaction requests to respective servers in the plurality of servers and transaction responses of the respective servers to the transaction requests to respective clients; and

a tag generator (1362 as shown in Fig. 25a) operable to generate a tag associated with a selected server in the plurality of servers, the server being operable to provide information requested by a transaction request, whereby, when a subsequent transaction request is received from the client corresponding to the tagged transaction request, the subsequent transaction request includes the tag and, based on the tag, the router forwards the subsequent transaction request to the selected server (See col. 61, lines 51-57).

As to claim 2, Gidwani discloses the tag generator to be further operable to append the tag to a server tag generated by the selected server (See col. 61, lines 40-56).

As to claim 3, Gidwani discloses each of the plurality of servers has a unique Server identifier and the tag associated with each server is based on the corresponding unique server identifier(See Fig. 7 # 1624; col. 71, lines 61-67 an authentication is performed inherently with a unique code or identifier and tag associated with each server) (also See col. 60, lines 51-67-col. 61, lines 1-8).

As to claim 6, Gidwani discloses in Fig 6b a decryption processor (580) that decrypts (decodes) cipher text transaction requests and provides plain text transaction requests to the parser.

As to claim 9, Gidwani discloses a router (118) as shown in Fig. 1 wherein the CPE LAN 116 can be used as the connection table listing for active connections between servers and clients(See col. 23, lines 4-7).

As to claim 11, Gidwani discloses a method for switching transaction requests, comprising: receiving, from a first source, a transaction response associated with first source, the transaction response corresponding to at least a first transaction request; parsing the transaction response to locate at least a first field; determining a first tag identifying the first source; appending the first tag to the first field in the transaction response; reassembling the transaction response; and forwarding the transaction response to a destination identified by the transaction response.

As to claim 12, Gidwani discloses that the first field is associated with a server-

generated tag, wherein the first tag is an address, and wherein the first tag is derived from field information in the at least a first field.

As to claim 25, Gidwani discloses a system for switching transaction requests among a plurality of servers, comprising: an input port ( as shown in Figs.1, 27a) for receiving, from a first server in the plurality of servers, a transaction response of the first server, the transaction response corresponding to at least a first transaction request; means for parsing (parsing using the switch 140) the transaction response to locate at least a first field; means for determining a first tag identifying the first server; means for appending the first tag to the first field in the transaction response; means for reassembling the transaction response; and means for forwarding the transaction response to a client identified by the transaction response (See #1362 Fig. 25a; col. 61, lines 61, lines 51-57; also See col. 60, lines 51-67-col. 61, lines 1-8).

As to claim 26, Gidwani discloses a first field is associated with a server-generated tag(See figs :8b, 9, 25a).

As to claim 28, Gidwani discloses each of the plurality of servers has a unique Server identifier and the tag associated with each server is based on the corresponding unique server identifier(See Fig. 7 # 1624; col. 71, lines 61-67 an authentication is performed inherently with a unique code or identifier and tag associated with each server) (also See col. 60, lines 51-67-col. 61, lines 1-8).

As to claim 32, Gidwani discloses a system, comprising a communications network as shown in Fig. 1; a plurality of replicated servers (shown in Figs. 9, 27a, 27c) connected to the network, all of the replicated servers having a same network address

and all of the replicated servers serving the same replicated information, each of the replicated servers being configured to receive a first transaction request associated with an individual transaction and to provide a response to the first transaction request, the response including a first tag (See event tag in Fig. 25a) that corresponds to the transaction, the first tag being generated by a first replicated server; and a network switch (140 as shown in Fig. 1) connecting the replicated servers to the network, the network switch being configured to generate a second tag associated with the first replicated server, to append the second tag to the first tag in the response, and to direct to the first replicated server subsequently received transaction requests including the first and second tags (See event tag #1362 in Fig. 25a).

As to claim 33, Gidwani discloses the network switch is operable to store the first tag and to parse the first transaction request (See Figs. 25a, 25b and 27c; col. 61, lines 1-8).

As to claim 34, Gidwani discloses(See . in Fig 6b a decryption processor (580) that decrypts (decodes) the first transaction requests before the network switch parses the first transaction request.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over  
Gidwani (U.S. Patent No. 6,640,239) in view of Wu (What is web switching? Arrowpoint  
Communications, Inc 10/1/99).

As to claim 8, Gidwani discloses all but fails to specifically disclose the selected fields include at least a universal resource locator and a cookie. In an analogous art, Wu discloses a web switching wherein it discloses that Web switches use URLs to route incoming TCP and also use a cookie (see page 1, paragraph 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Gidwani with the web switching of Wu by having a universal resource locator and a cookie in order to manage the web traffic flows.

#### ***Allowable Subject Matter***

Claims 36-44 are allowed. The prior art fails to disclose a method for providing information from a server to a client, comprising: determining which of the second and third information has been more frequently requested by clients during a first selected time interval; retrieving the more frequently requested of the second and third information and/or an address associated therewith; thereafter receiving a second transaction request from the client requesting the more frequently requested of the second and third information; and providing the more requested of the second and third information to the client.



Claims 4-5, 7, 10, 13-24, 27, 29-31, 35, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In claim 4, the prior art fails to disclose that the tag generator is operable in a tagging mode and is not operable in a digesting mode, and wherein the switch further comprises:

a cache operable to store a plurality of objects corresponding to transaction requests associated with at least one of the plurality of servers, the objects comprising field information in at least one of the selected fields located by and received from the parser; a digest generator operable to generate a digest based on the field information in at least one selected field of a transaction request, the digest corresponding to a location in the cache where at least one object corresponding to the transaction request is to be stored; and a cache processor operable to access the plurality of objects in response to communications received from the router.

In claim 13, the prior art fails to disclose that the first source is a first server in a plurality of servers and the destination is a client and further comprising: receiving the transaction response after the forwarding step; storing the first tag in the client's memory; and forwarding a second transaction request to an address associated with the first server, the second transaction request including the first tag.

In claim 29, the prior art fails to disclose the input port receives a second transaction request and further comprising: means for parsing the second transaction

request for at least the first field; means for determining a digest value based on field information in the at least the first field; and means for storing selected information corresponding to the second transaction request at an address based on the digest value.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cook et al. (U.S. Patent No. 5,764,920) disclose a system and method for routing administrative data over a telecommunications network to a remote processor.

Dobbins et al. (U.S. Patent No. 5,825,772) disclose a distributed connection-oriented services for switched communications networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ



November 6, 2004

  
GERTRUDE A. JEANGLAUDE  
PRIMARY EXAMINER